

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raghunath et al

Examiner: TSO, Edward H.

Serial No: 10/668,626

Group: Art Unit: 2838

Filed: September 23, 2003

Docket: Y0R920030220US1 (8728-629)

For: **RECHARGEABLE ELECTRONIC DEVICE SYSTEM AND METHOD
FOR RECHARGING AN ELECTRONIC DEVICE**

Commissioner for Patents
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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181
AND SUPPORTING STATEMENT**

This is a petition under 37 C.F.R. 1.181 requesting withdrawal of the holding of abandonment of the above-identified application. The USPTO issued a Notice of Abandonment, mailed on November 21, 2006, indicating that the above-identified application had gone abandoned based on Applicant's failure to timely file a response to a Final Office Action mailed on March 6, 2006. A copy of the Notice of Abandonment is annexed hereto.

Unfortunately, *neither* the Final Office Action mailed on March 6, 2006 *nor* the Notice of Abandonment mailed on November 21, 2006 was actually delivered to our Office. Indeed, the record in this case indicates that both the Office Action and Notice of Abandonment were mailed to a wrong Office address, and subsequently returned to the USPTO as "undeliverable." Enclosed is a copy of the Image File Wrapper from Private Pair in connection with the above case, which illustrates that that the Final Office Action was returned as "undeliverable" to the USPTO on March 14, 2006, and that the Notice of Abandonment was returned as

"undeliverable" to the USPTO on November 29, 2006.

These documents were mailed to the wrong Office address despite the fact that a Change of Correspondence Address Application was filed in this case on three separate occasions, (i) April 11, 2005, (ii) August 1, 2005, and (iii) September 29, 2005, all well in advance of the issuance of the Final Office Action mailed of March 6, 2006. The enclosed copy of the Image File Wrapper from Private Pair indicates that all three Change of Correspondence Address Applications were duly received and filed by the USPTO.

The Applicants' undersigned attorney only became aware of the outstanding Final Office Action and the Notice of Abandonment after the application had gone abandoned by virtue of a random status check that was performed using Private Pair. Furthermore, after learning of the Abandonment, the undersigned conducted a search of the file jacket and reviewed the docketing records for this application with our Docketing Clerk and Office Manager, and determined that our Office in fact never received the Final Office Action mailed on March 6, 2006, and that our Office personnel otherwise had no knowledge of the pending Final Office Action.

Accordingly, in view of the above circumstances, Applicants respectfully request that the Notice of Abandonment be withdrawn, and that the Patent Office reissue the outstanding Final Office Action to the proper Office address as specified in the Change of Correspondence Address Applications filed in this case.

Respectfully submitted,


Frank V. DeRosa
Reg. No. 43,584

F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, New York 11797
TEL: (516) 692-8888
FAX: (516) 692-8889



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|-----------------|----------------------|------------------------------|-------------------------------|------------------|
| APPLICATION NO. | FILED/RECEIVING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/668,626 | 09/23/2003 | Mandayam Thondanur Raghunath | YOR920030220US1 (8728-629) | 2182 |

7590 11/21/2006
Frank Chau, Esq.
F. CHAU & ASSOCIATES, LLP
1900 Hempstead Turnpike
East Meadow, NY 11554

| | |
|---------------|--------------|
| EXAMINER | |
| TSO, EDWARD H | |
| ART UNIT | PAPER NUMBER |
| 2538 | |

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

| | | |
|-----------------|------------------|--|
| Application No. | Applicant(s) | |
| 10/668,626 | RAGHUNATH ET AL. | |
| Examiner | Art Unit | |
| Edward H. Tso | 2838 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 14 March 2006.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


Edward H. Tso
Primary Examiner
Art Unit: 2838

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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10/056,626

Rechargeable electronic device system and method for recharging an electronic device

| | | | | | |
|-----------------|------------------|---------------------|--------------------|--|-------------------|
| Select New Case | Application Data | Transaction History | Image File Wrapper | Published Documents/Agency/Agent Reference | Address & Display |
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|----------------|---|-------------------|------------|--------------------------|--------------------------|--------------------------|
| 11-29-2006 | Mail returned to USPTO as undelivered | PROSECUTION | 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11-21-2006 | Abandonment | PROSECUTION | 2 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 03-14-2006 | Mail returned to USPTO as undelivered | PROSECUTION | 6 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 03-06-2006 | Final Rejection | PROSECUTION | 5 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 03-06-2006 | Index of Claims | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 01-04-2006 | Fee Worksheet (PJO-06) | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-27-2005 | Amendment - After Non-Final Rejection Authorization for Extension of Time all replies | PROSECUTION | 2 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-27-2005 | Claims | PROSECUTION | 6 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12-27-2005 | Applicant Arguments/Remarks Made in an Amendment | PROSECUTION | 4 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-29-2005 | Change of Address | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-22-2005 | Non-Final Rejection | PROSECUTION | 5 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-22-2005 | List of references cited by examiner | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-22-2005 | Index of Claims | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-22-2005 | Search information including classification, databases and other search related notes | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 08-01-2005 | Change of Address | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 04-11-2005 | Change of Address | PROSECUTION | 2 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Transmittal of New Application | PROSECUTION | 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Specification | PROSECUTION | 13 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Claims | PROSECUTION | 8 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| 09-23-2003 | Drawings | PROSECUTION | 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Oath or Declaration filed | PROSECUTION | 2 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Fee Worksheet (ETQ-06) | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 09-23-2003 | Fee Worksheet (ETQ-06) | PROSECUTION | 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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